

REMARKS

Claims 1 to 27 are all the claims pending in the application.

At page 2 of the Office Action, the Examiner acknowledges applicants' election, without traverse, of the production method set forth in Example 1 of the present application. The Examiner states that he has determined that the elected species is not patentable, and that he has limited the search to the elected species. The Examiner states, therefore, that claims 1-13 (in part), 14-20 (in full), and 21-27 (in part) have been withdrawn from consideration as being directed to a non-elected invention and, therefore, have not been searched.

This statement of the Examiner is somewhat confusing. The Examiner has separately indicated that claims 2, 4-6, 8-13 and 21-25 contain allowable subject matter and would be allowed if rewritten in independent form.

Thus, applicants understand that the Examiner has indicated, for example, with respect to claim 8, that the elected species of silicotungstic acid for component (b), tellurium for component (c), and zinc for component (d) is allowable. Accordingly, since the Examiner has found allowable subject matter, applicants believe the Examiner should have extended the search to include the non-elected species set forth in claim 8.

The Examiner does not indicate what part of claim 8 has not been searched. Applicants believe that the Examiner may have intended to indicate that all of claim 8 is allowable, but his statement does not clearly state this to be so since he has stated that part of claim has not been searched.

Applicants indicated in the Response to the Election of Species Requirement that at least claims 7-13, 23 and 24 read on the elected species. The Examiner considers that claims 1-13 and

21-27 also read on the elected species. In reviewing this matter further, applicants submit that claims 14-20 also read on the elected species. Accordingly, applicants request withdrawal of the restriction requirement and rejoinder of these claims.

As noted above, the Examiner has indicated that claims 2, 4-6, 8-13 and 21-25 are allowable if rewritten in independent form. Applicants have amended the independent claims 1, 3 and 7 to incorporate the allowable subject matter of claims 2, 4 and 8, respectively, and have canceled claims 2, 4 and 8. Applicants have amended claims 21, 22 and 24 to change their dependencies in view of these amendments. Accordingly, applicants submit that claims 1, 3, 5-7, 9-13 and 21-25 are allowable.

The Examiner has objected to claims 26 and 27 as being improper multiple dependent claims because a multiple dependent claim cannot depend from another multiple dependent claim.

Applicants disagree with this objection because in the Preliminary Amendment filed on January 12, 2006, applicants amended claim 26 so that it depends only on claim 1. Claims 26 and 27, therefore, are not multiple dependent claims.

Claims 1, 3 and 7 have been rejected under the second paragraph of 35 U.S.C. § 112 as being incomplete because they omit an essential step, the omission amounting to a gap between the steps.

In addition, claims 1, 3 and 7 have been rejected under 35 U.S.C. § 103(a) as obvious over WO 01/24924 to Obana et al, which corresponds to U.S. Patent No. 6,706,919 to Obana et al.

As indicated above, applicants have amended claims 1, 3 and 7 to incorporate the recitations of claims 2, 4 and 8, respectively, which have not been subjected to these rejections. Accordingly, applicants submit these rejections have been overcome.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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Date: November 19, 2008